

# ADVERSARY CASE OPENING

---

Prior to the filing/docketing of an adversary complaint in the ECF system, the attorney must **Open an AP Case**. To accomplish this, the attorney uses the information from the Adversary Proceeding Cover Sheet. To open an adversary case:

**STEP 1** Click on **Adversary** from the Main Menu, then click on Open an AP case.



**Figure 1**

**STEP 2** The **Adversary Statistical Information** screen appears.

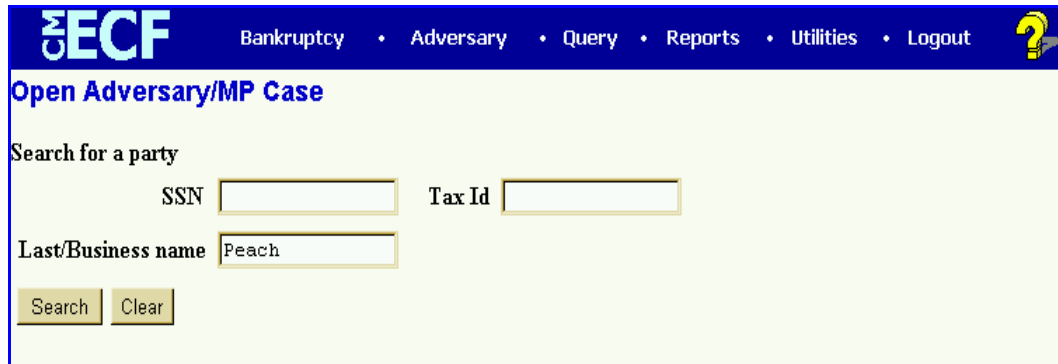
A screenshot of the "Open Adversary/MP Case" form in the ECF system. The form has a blue header with the ECF logo and navigation links. The title "Open Adversary/MP Case" is in blue. The form contains several fields: "Case Number" (a text input field), "Office" (a dropdown menu with "Brooklyn" selected), "Date Filed" (a text input field with "5/30/2001"), "Case Type" (a dropdown menu with "ap" selected), and "Complaint" (a dropdown menu with "y" selected). Below these fields are two buttons: "Next" and "Clear".

**Figure 2**

- Select and highlight the **Office** from the pick list in which you are filing the adversary proceeding. This is usually the same office that the main bankruptcy case is located.
- **Case Type** - ap (this is the automatic default)
- **Complaint** - select 'y' for 'yes'. This signifies the lead event.
- Click on **Next** to continue, or **Clear** to reset defaults.

*[Note: AP number and date filed fields cannot be modified]*

**STEP 3**      The Search for a party screen appears for the purpose of **adding** or associating the plaintiff(s) and defendant(s) to the adversary.



**Figure 3**

- Parties should be added in the following order: associate all plaintiffs first, then all defendants.
- The sequence of windows for searching a party with the case will continue until all parties are added.

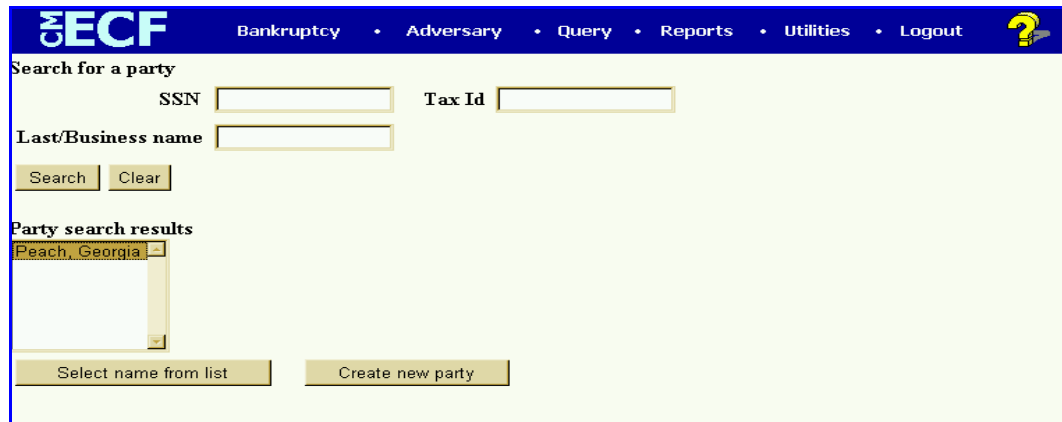
**Search for a party by:**

- Social security number or tax id number or
- Last/Business name, using upper and lower case characters, enter at least one character (and up to 10) of party's last name, or business name, then click on **Search**.
- It is recommended that the filer do a thorough search of the database. For instance, the debtor has been added to the system through the main case, so if you are filing an adversary against them or in their behalf they should come up on your search.

**Search Hints:**

- Enter one field of data for each search.
- Format Social Security Number or Tax ID with hyphens.
- Searching is case sensitive. (Smith, not smith)
- Include punctuation. (O'Brien, Zeta-Jones)
- Try alternate search clues if your first search is not successful.
- Partial names can be entered.
- Wild cards (\*) are not required at the end of search strings.
- Wild cards may be used before or within search strings. (\*son, Gr?y)
- Do not search only by the asterisk \* itself.

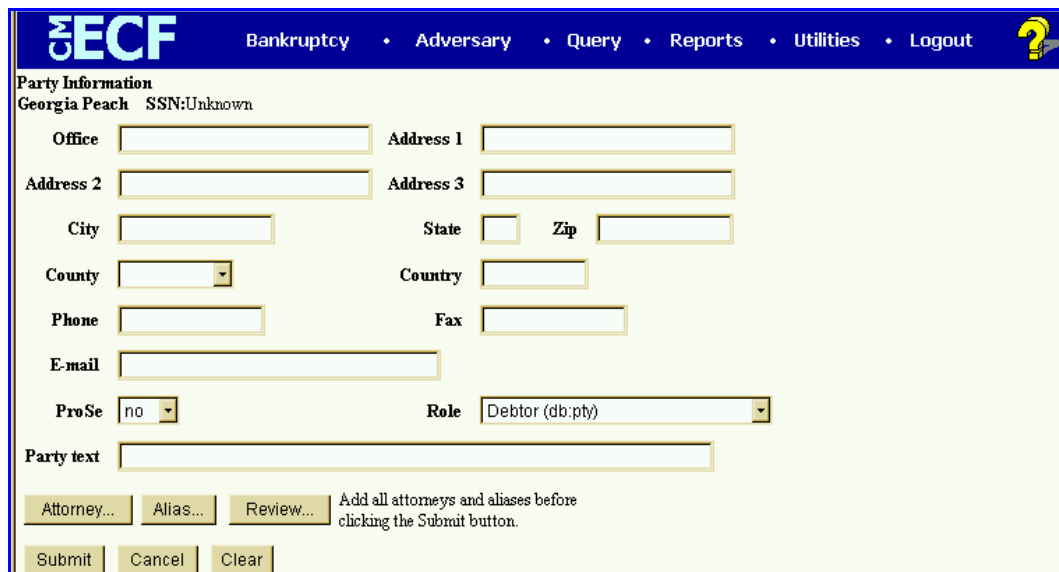
**STEP 4** The **Search for a party** screen appears again, including **Party search results** screen.



**Figure 4**

- If party's name appears in **Party search results** window, highlight the name.
- Click on **Select name from list**.
- If party's name is not found in the system, click on **Create New Party** and proceed to **Step 6**.

**STEP 5** The **Party Information** screen appears allowing for address or modifications, if applicable.



**Figure 5**

- Click in the appropriate field to make changes or remove information.
- The changes you make will only apply to this filing and will not change the database record.
- Party **address** information is not needed. Since you are representing this party filer, you will associate yourself with this party by selecting the **Attorney** button after you have completed all the necessary fields.
- Click on the ▼ arrow to select ‘no’ by the **Pro Se** field.
- Click on the ▼ arrow to select the **Role** of the party filing: “**Plaintiff**” or “**Defendant.**”
- Click on **Attorney**. The **Search for an Attorney** Screen will appear for the purpose of associating an attorney, proceed to **Step 7**.
- Add all Attorneys before clicking on **Submit**.
- Click on **Cancel** or **Clear** to restart.
- Click on **Submit** to continue.

*[Note: If there is text that you wish to include on the docket after the party’s name, (i.e. Trustee, for the estate of...etc.), type this in the Party Text window].*

**STEP 6** If Party Filer’s name is not found, the “**No Person found**” screen appears:

The screenshot shows the ECF system interface. At the top is a blue navigation bar with the ECF logo and links for Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. A yellow help icon is on the right. Below the navigation bar is the 'Search for a party' section, which contains three input fields: SSN, Tax Id, and Last/Business name. Below these fields are 'Search' and 'Clear' buttons. The 'Party search results' section below shows the message 'No person found.' and a 'Create new party' button.

**Figure 6**

- Click on **Create new party**.
  - The **Party Information** screen will appear. Complete the appropriate fields. (*Note: Address information is not needed for the party filer*)
  - **Role** of the party should be **Plaintiff or Defendant** (whichever is appropriate).
  - Click on the ▼ arrow and to select **Pro Se - ‘no’**
  - If there is text that you wish to appear on the docket after the party’s name, (*i.e. Trustee, for the estate of, etc.*) type text in the **Party Text** window.
  - Click on the **Attorney** button to associate yourself with the filing party and proceed to **Step 7**.

## STEP 7 Search for An Attorney

- Using upper and low case letters, enter at least the first letter (and up to 10) of attorney's last name.
- Click on Search
- If attorney name listed, proceed to **Step 9**

## STEP 8 If attorney's name is not listed, or "No Person Found" appears, click on **Create New Attorney**.



EECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout ?

Search for an attorney

Bar Id

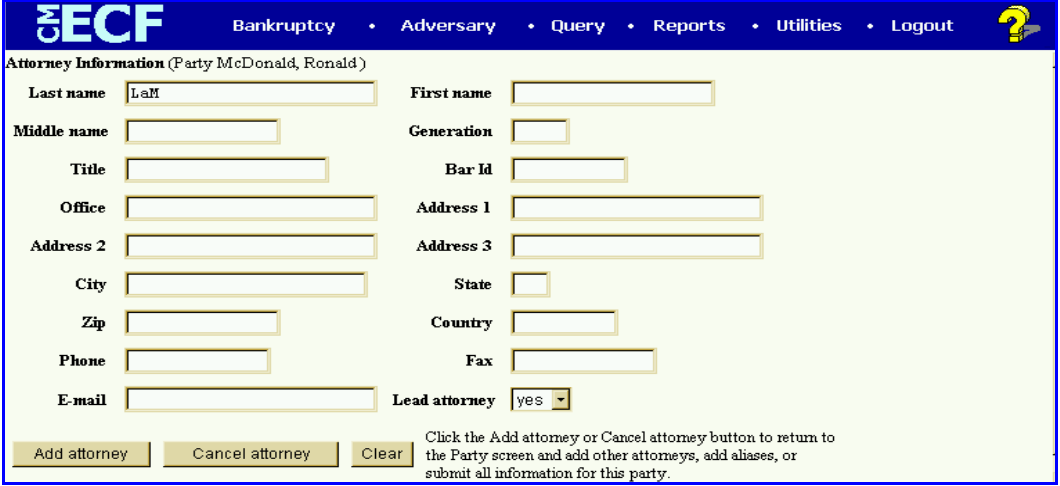
Last name

Attorney search results

No person found.

Figure 7

- Enter name and address of attorney filing complaint.
- Click on **Add Attorney**



EECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout ?

Attorney Information (Party McDonald, Ronald)

Last name  First name

Middle name  Generation

Title  Bar Id

Office  Address 1

Address 2  Address 3

City  State

Zip  Country

Phone  Fax

E-mail  Lead attorney

Click the Add attorney or Cancel attorney button to return to the Party screen and add other attorneys, add aliases, or submit all information for this party.

Figure 8

- Click on **Review**, then click on **Return to Party Screen**
- Click on **Submit**.

**STEP 9** If appropriate, **Attorney search results** screen appears with attorney's name listed.

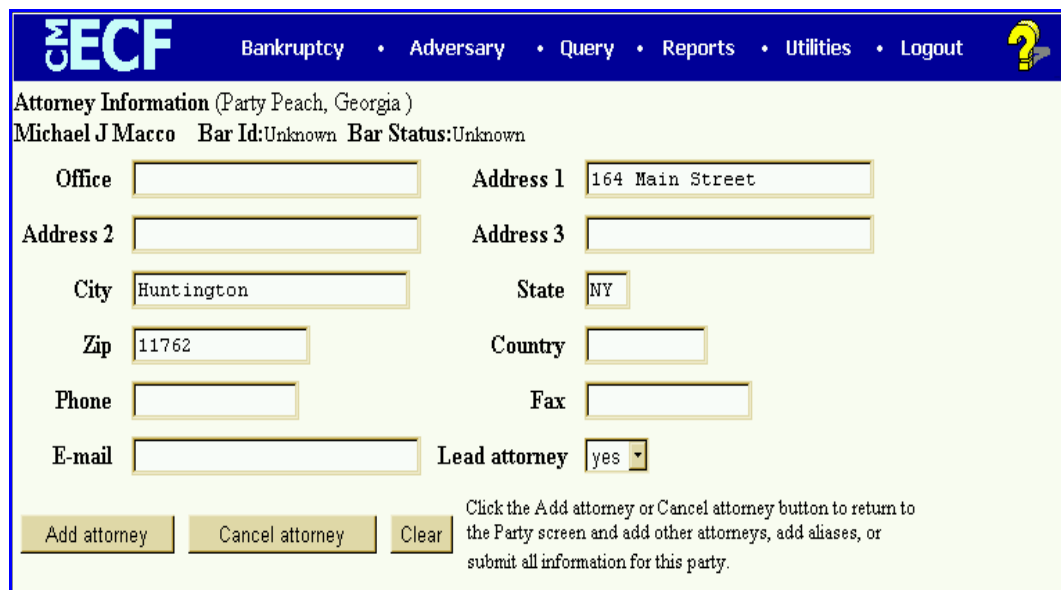


The screenshot shows the ECF (Electronic Case Filing) interface. At the top, there is a navigation bar with links: Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. A yellow question mark icon is on the right. Below the navigation bar, the heading "Search for an attorney" is displayed. There are two input fields: "Bar Id" and "Last name". Below these fields are "Search" and "Clear" buttons. Underneath, the "Attorney search results" section shows a dropdown menu with two options: "Macco, Matt" and "Macco, Michael J". At the bottom of this section are two buttons: "Select name from list" and "Create new attorney".

**Figure 9**

- Click on attorney's name.
- Click on **Select name from list**.

**STEP 10** The **Attorney Information** screen appears. This screen allows for any address or lead attorney modifications.



The screenshot shows the ECF "Attorney Information" screen for "Michael J Macco". The header includes the ECF logo and navigation links: Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. A yellow question mark icon is on the right. The page title is "Attorney Information (Party Peach, Georgia)". Below the title, it says "Michael J Macco Bar Id:Unknown Bar Status:Unknown". The form contains several input fields: "Office", "Address 1" (with the value "164 Main Street"), "Address 2", "Address 3", "City" (with the value "Huntington"), "State" (with the value "NY"), "Zip" (with the value "11762"), "Country", "Phone", "Fax", "E-mail", and "Lead attorney" (with a dropdown menu showing "yes"). At the bottom, there are three buttons: "Add attorney", "Cancel attorney", and "Clear". A note at the bottom right states: "Click the Add attorney or Cancel attorney button to return to the Party screen and add other attorneys, add aliases, or submit all information for this party."

**Figure 10**

- Click on the appropriate fields to make changes.
- The changes you make will only apply to this filing and will not change the database record.
- Click on the ▼ arrow by **Lead attorney** to select “yes” or “no”.
- Click on **Add Attorney**, **Cancel attorney**, **Clear**, whichever is appropriate.

*[Note: click the add attorney or cancel attorney button to return to the party screen and add other attorney's, add aliases, or submit all information for this party.]*

**STEP 11** The **Party Information** screen appears.

- Verify information
- Click on **Submit** to continue
- Click on **Cancel** or **Clear** to cancel to change the original address.

**STEP 12** The **Search for a party** screen appears to include *additional plaintiff(s) or Proceed to enter the defendant(s) information.*

**Figure 11**

- Refer back to **Steps 4** when adding the defendant(s) to the case.

**However:**

- ***Do not** add the Address information for the defendant(s)*
- *Do not add the Attorney information for the defendants - this information will be added at a later time.*
- Remember to choose the proper **Role** selection for each defendant

The **Search for a party screen** will reappear until all parties have been added:

- Click on **End Party Selection** - to proceed to the next screen.

**STEP 13** The Adversary Statistical Information screen appears.

**ECF** Bankruptcy • Adversary • Query • Reports • Utilities • Logout

**Open Adversary/MP Case**

Party code: 3 U.S. not a Party

Nature of suit: 424 (Obj/Revocation Discharge 727)

Origin: 1 Original Proceeding

Transfer date:

Rule 23 (class action): n

Jury demand: None

Demand (\$000):

Next Clear

**Figure 12**

- To complete the fields, click on the ▼ arrow to the right of the each drop down box and highlight the appropriate data (from the Adversary Proceeding Cover Sheet)

**Party Code:** Select appropriately  
 3 (U.S. not a Party in the case)  
 2 (U.S. is a Defendant)  
 1 (U.S. is a Plaintiff)

3 U.S. not a Party

1 U.S. is a Plaintiff

2 U.S. is a Defendant

3 U.S. not a Party

**Nature of Suit:** Select appropriately  
 424 (Objection/Revocation of Discharge 727)  
 426 (Determine Dischargeability 523)  
 434 (Obtain Injunctive Relief)  
 435 (Determine Validity/Priority/Extend of Lien)  
 454 (Recovery of Money/Property)  
 455 (Revocation of Confirmation Order – Ch 11, 12, 13)  
 456 (Obtain Declaratory Judgment)  
 457 (Subordinate Allowed Claim/Interest)  
 458 (Obtain Approval For Sale)  
 459 (Determine Claim/Cause of Action Removed)  
 498 (Other – Specify in Complaint Text)

424 (Obj/Revocation Discharge 727)

424 (Obj/Revocation Discharge 727)

426 (Dischargeability 523)

434 (Injunctive Relief)

435 (Validity/Priority/Extent Lien)

454 (Recover Money/Property)

455 (Revoke Plan Confirmation)

456 (Declaratory Judgment)

457 (Subordinate Claim/Interest)

458 (Approval For Sale)

459 (Application For Removal)

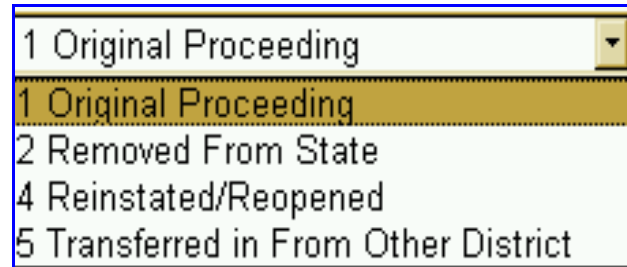
498 (Other Action)

**[NOTE: Selection of 424 (Objection/Revocation of Discharge 727) will prevent discharge from being granted in bankruptcy case]**



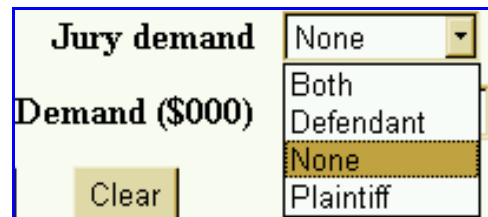
**Origin:** Select appropriately

- 1 (original proceeding)
- 2 (removed from state)
- 3 (remd from appel ct)
- 4 (reinstated/reopened)
- 5 (transferred)
- 6 (multidistrict litig)



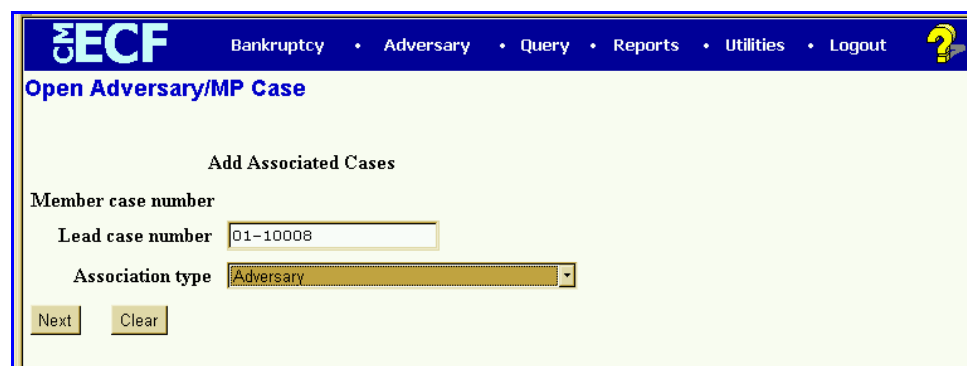
A dropdown menu with a blue border. The selected option is '1 Original Proceeding'. The list of options is: 1 Original Proceeding, 2 Removed From State, 4 Reinstated/Reopened, 5 Transferred in From Other District.

- **Date of Transfer:** This field remains 'blank' at the opening of a newly filed adversary proceeding.
- **Rule 23 (Class Action):** Select appropriate 'y' or 'n'.
- **Jury Demand:** Select appropriate 'y' or 'n' (to request jury demand, attorney must docket a motion requesting same).
- **\$ Demand (000):** Round off to the nearest thousand.
- Click on **Next** to continue, or **Clear** to reset the defaults.



Two dropdown menus side-by-side. The first is labeled 'Jury demand' and has 'None' selected. The second is labeled 'Demand (\$000)' and has 'None' selected. Below the second dropdown is a 'Clear' button.

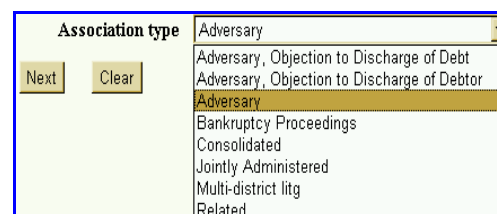
**STEP 14** The Add Associated Cases screen appears.



The 'Add Associated Cases' screen. It has a header with 'ECF' logo and navigation links: Bankruptcy, Adversary, Query, Reports, Utilities, Logout. The main title is 'Open Adversary/MP Case'. Below it, 'Add Associated Cases' is centered. There are two input fields: 'Member case number' and 'Lead case number' (containing '01-10008'). Below these is an 'Association type' dropdown menu with 'Adversary' selected. At the bottom are 'Next' and 'Clear' buttons.

**Figure 17**

- **Lead case number:** type in the case number of the main case in the format shown in the example.
- **Association type:** select "Adversary"
- Select **Next**.



A dropdown menu for 'Association type'. The selected option is 'Adversary'. The list of options is: Adversary, Adversary, Objection to Discharge of Debt, Adversary, Objection to Discharge of Debtor, Adversary, Bankruptcy Proceedings, Consolidated, Jointly Administered, Multi-district litg, Related. There are 'Next' and 'Clear' buttons to the left of the dropdown.

**Figure 18**

- Click on **Next** to continue or **Clear** to reset the defaults
- If you enter the incorrect pending bankruptcy case number the following message will appear : xx-xxxxx is not a valid case. Please enter a valid case.
- If you do not enter pending bankruptcy case number, the following message will appear: Warning: related case not entered.
- Click on **Back**, and re-enter related bankruptcy case, and then click on **Next** to complete process.

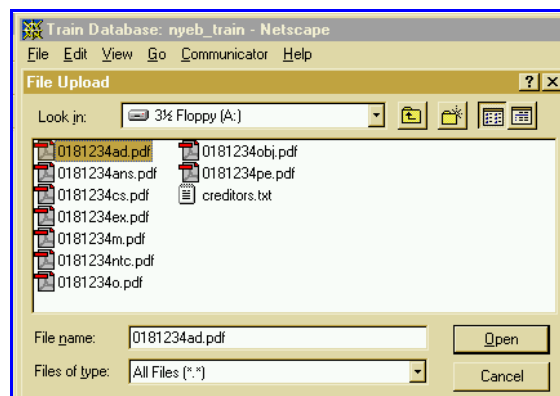
**STEP 15** The **Select PDF Document** screen appears to upload pdf document.

**Figure 19**

- Type name of file in **Filename** blank box or click on **Browse** button to select the appropriate file. (See figure 16)

**STEP 16** At **File Upload** window, change **Files of type:** field to **All Files [\*.\*)** or **Acrobat [\*.pdf]** (whichever your system allows).

- Double click on PDF complaint document to open file.



**Figure 20**

**If there are no attachments:**

- Click on **Next** after selecting PDF complaint file.

### If there are attachments to the complaint

- Select radio button for **Yes** to upload the document.
- An additional screen appears for uploading attachments (all additional documents must be attached using this one screen).

The screenshot shows the 'Open Adversary/MP Case' screen. At the top is a blue navigation bar with the ECF logo and links for Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. Below the navigation bar, the title 'Open Adversary/MP Case' is displayed. The main content area has a light yellow background and contains the following instructions and form fields:

- Select one or more attachments.**
- 1) Enter the **pdf** document that contains attachment (for example: C:\appendix.pdf).
- Filename**: A text input field followed by a 'Browse...' button.
- 2) At your option, select a document type and/or enter a description.
- Type**: A dropdown menu.
- Description**: A text input field.
- 3) Add the filename to the list box below. If you have more attachments, go back to Step 1. When the list of filenames is complete, click on the Next button.
- A list box (currently empty) with 'Add to List' and 'Remove from List' buttons.
- A 'Next' button at the bottom left.

Figure 21

**STEP 17** Following the same instructions as for the complaint:

- Click on the **Browse** button, navigate to the appropriate directory and file. Change **Files of type:** to **All Files [\*.\*)** or **Acrobat [\*.pdf]**, select the attachment.
- Click on the ▼ arrow to the right of the **Type** field and select appropriate description from list in box.
- In the **Description** box, type in a description of the attachment.(if any)
- Click on **Add to List** and repeat process for the next attachment.
- Click on **Next** when all attachments have been uploaded and to continue docketing complaint.

**STEP 18** **Open Adversary Case** screen appears:

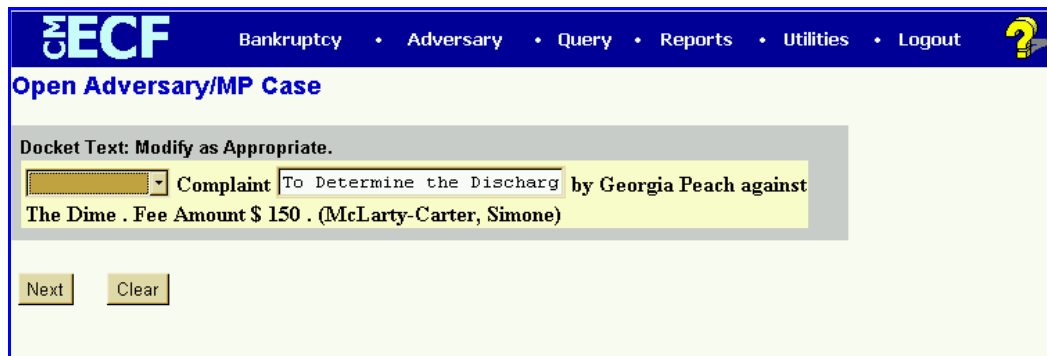
The screenshot shows the 'Open Adversary/MP Case' screen. At the top is a blue navigation bar with the ECF logo and links for Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. Below the navigation bar, the title 'Open Adversary/MP Case' is displayed. The main content area has a light yellow background and contains the following form fields and buttons:

- Fee \$:** A text input field with the value '150'.
- Enter Nature Of Suit And Description In Docket Text**: A text input field.
- Next** and **Clear** buttons.

Figure 22

- Click on **Next** to continue or **Clear** to start over.

**STEP 19** The **Docket Text: Modify as Appropriate** screen appears allowing for addition of prefix and/or additional text.



ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout ?

**Open Adversary/MP Case**

Docket Text: Modify as Appropriate.

▼ Complaint To Determine the Discharge by Georgia Peach against The Dime . Fee Amount \$ 150 . (McLarty-Carter, Simone)

Next Clear

**Figure 23**

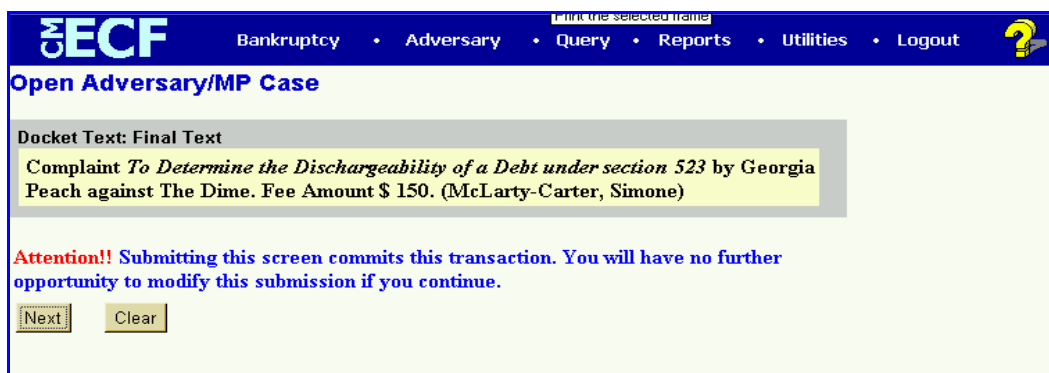
**To add a prefix to text:**

- Click on the ▼ arrow in dialog box.
- Click on correct modifier.

**To add additional text:**

- Click in blank text box and type any additional text to further describe entry.
- Click on **Next** to continue or **Clear** to clear additional prefix/text and start over.

**STEP 20** The **Docket Text: Final Text** screen appears.



ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout ?

**Open Adversary/MP Case**

Docket Text: Final Text

Complaint To Determine the Dischargeability of a Debt under section 523 by Georgia Peach against The Dime. Fee Amount \$ 150. (McLarty-Carter, Simone)

**Attention!!** Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.

Next Clear

**Figure 24**

- Verify docket entry.

**If docket entry is correct:**

- Click on **Next** to submit filing.

**If docket entry is incorrect:**

- Click on **Back** button to make corrections.

---

## Receipt of Filing

Once final docket text is submitted, **Notice of Electronic Filing** screen appears, giving confirmation of system receiving the entry that is now an official court document

The screenshot displays the ECF system interface with a blue header bar containing the ECF logo and navigation links: Bankruptcy, Adversary, Query, Reports, Utilities, Logout, and a help icon. The main content area is titled 'Open Adversary/MP Case' and contains the following information:

Notice of Electronic Filing

The following transaction was received from McLarty-Carter, Simone on 7/19/2001 at 4:06 PM EST

Case Name: Peach v. First USA  
Case Number: [1-01-01004](#)  
Document Number: [1](#)

Docket Text:  
Complaint 424 To determine the dischargeability of a debt (523) by Georgia Peach against First USA. Fee Amount \$ 150. (McLarty-Carter, Simone)

The following document(s) are associated with this transaction:

Document description: Main Document  
Original filename: A:\0181234ad.pdf  
Electronic document Stamp:  
STAMP bkecfStamp\_ID=979333796 [Date=7/19/2001] [FileNumber=2554-0] [c60110013349a892009267114089795cd1559ac8df194137acc3cd51cd12a7e7d7204ba478d2754dd7c1e6355412d627ac43f19cb746fk799821d7b92bbc]]

-01-01004 Notice will be electronically mailed to:

-01-01004 Notice will not be electronically mailed to:

Matt Macco

**Each notice includes:**

- Who filed the document
- The Date and Time
- Case Name
- Case Number
- Document Number
- Docket Text
- Document Description
- Original filename (pdf filename)
- Notice will electronically be mailed to
- Notice will not be electronically mailed to:

***[NOTE: Attorney Users will have access to the Notice of Electronic Filing at the time of their filing. Subsequent access to any query or Report programs must go through the PACER system.]***

When a copy of the Notice of Electronic Filing is mailed to each subscriber on the case, the following message will display at the top:

**\*\*\*NOTE TO PUBLIC ACCESS USERS\*\*\***

**You may view the filed documents once without charge. To avoid later charges, download a copy of each document during this viewing.**

---

**Print receipt**

- Click on **File** menu at top of your Netscape browser screen and Select **Print Frame or** (click on the **Printer Icon** at top of page).

*[NOTE: It is strongly recommended that copies of receipts be printed. This receipt provides a record of the new adversary number.]*